

1                                   **IN THE UNITED STATES DISTRICT COURT**  
2                                   **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
3                                   **SAN JOSE DIVISION**

4  
5 Case No. \_\_\_\_\_  
6

7                                   **STANDING ORDER REGARDING**  
8                                   **CASE MANAGEMENT IN CIVIL CASES**

9           This order sets forth requirements for initial case management in all civil matters assigned to  
10 District Judges James Ware, Ronald M. Whyte and Jeremy Fogel, and Magistrate Judges Patricia V.  
11 Trumbull, Richard Seeborg, and Howard R. Lloyd. All papers filed must include the case number of  
12 the action followed by the initials of the assigned district judge or magistrate judge and, if  
13 applicable, the initials of the magistrate judge to whom the action is referred for discovery or other  
14 pretrial activity.

15           Plaintiff shall serve a copy of this Standing Order on all parties to this action and on all  
16 parties subsequently joined, in accordance with Fed.R.Civ.P. 4 and 5. Following service, plaintiff  
17 shall file a certificate of service in accordance with Civil L.R. 5-6(a).

18           All disclosure or discovery disputes in cases assigned to district judges are referred to the  
19 assigned magistrate judge for determination pursuant to Fed.R.Civ.P. 72(a). Magistrate judges  
20 themselves handle disclosure and discovery disputes in the cases assigned to them.

21           Before selecting a hearing date for a motion before any of the judges of the San Jose  
22 Division, counsel must confer with opposing counsel to determine that the proposed hearing date  
23 will not cause undue prejudice.

24           Civil motions under Civil L.R. 7-2 in cases assigned to Judge Ware may be noticed for  
25 hearing on any Monday at 9:00 a.m.

26           Civil motions under Civil L.R. 7-2 in cases assigned to Judge Whyte may be noticed for  
27 hearing on any Friday at 9:00 a.m.  
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1 Civil motions under Civil L.R. 7-2 in cases assigned to Judge Fogel may be noticed for  
2 hearing only after contacting Judge Fogel's administrative law clerk at 408-535-5426 and obtaining  
3 an available date.

4 Civil motions under Civil L.R. 7-2 in cases assigned to Magistrate Judge Trumbull may be  
5 noticed for hearing on any Tuesday at 10:00 a.m.

6 Civil motions under Civil L.R. 7-2 in cases assigned to Magistrate Judge Seeborg may be  
7 noticed for hearing on any Wednesday at 9:30 a.m.

8 Civil motions under Civil L.R. 7-2 in cases assigned to Magistrate Judge Lloyd may be  
9 noticed for hearing on any Tuesday at 10:00 a.m.

10 Pursuant to Fed.R.Civ.P. 16 and 26 and Civil L.R. 16-10(a), a Case Management Conference  
11 will be held on \_\_\_\_\_ at \_\_\_\_\_, at the United States  
12 Courthouse, 280 South First Street, San Jose, California. This conference may be continued only by  
13 court order pursuant to Civil L.R. 16-2(e). Parties may not stipulate to continue a Case Management  
14 Conference without court approval.

15 Pursuant to Civil L.R. 16-3, in advance of the Case Management Conference, counsel shall  
16 confer with their respective clients and opposing counsel for the purposes specified in Fed.R.Civ.P.  
17 26(f), Civil L.R. 16-8 and 16-9, and in patent cases, Patent L.R. 3.1 through 3.6. A meaningful meet  
18 and confer process prior to the Case Management Conference and good faith compliance with the  
19 requirements of this Order are essential elements of effective case management. Failure to meet and  
20 confer, to be prepared for the Case Management Conference or to file a Joint Case Management  
21 Conference Statement may result in sanctions. Parties may, but are not required, to attend the Case  
22 Management Conference.

23 In all "E-filing" cases when filing papers in connection with any motion for determination by  
24 a judge, the parties shall, in addition to filing papers electronically, lodge with chambers a printed  
25 copy of the papers by the close of the next court day following the day the papers are filed  
26 electronically. These printed copies shall be marked "Chambers Copy" and shall be submitted to the  
27 Clerk's Office, in an envelope clearly marked with the judge's name, case number and "E-filing  
28 Chambers Copy." Parties shall not file a paper copy of any document with the Clerk's Office that

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1 has already been filed electronically.

2 IT IS SO ORDERED.

3 Dated: May 15, 2009

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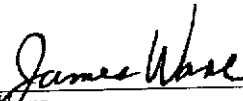
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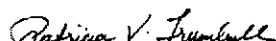
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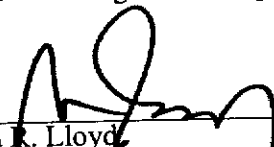
  
James Ware  
United States District Judge

  
Ronald M. Whyte  
United States District Judge

  
Jeremy Fogel  
United States District Judge

  
Patricia V. Trumbull  
United States Magistrate Judge

  
Richard Seeborg  
United States Magistrate Judge

  
Howard K. Lloyd  
United States Magistrate Judge